0974-4823171

USPTO Patent Application 09/944,654

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Fax No. 571 273 8300



DR NIDA

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## United States Patent and Trademark Office

COMMISSIONER POR PATENTS UNITED STATES PATENT AND TRACEMARK OFFICE With He Port D.C. 20231

APPLICATION NUMBER FILING DATE GRP ART UNIT FIL PEE REC'D ATTY. DOCKET. NO DRAWINGS TOT CLAIMS IND CLAIMS 09/944.564 09/04/2001 1623 1259

AL-JASSIM, Rawas 2578 River Woods Drive Naperville, IL 60565

**CONFIRMATION NO. 8476** UPDATED FILING RECEIPT OC000000007223833

Date Mailed: 12/21/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Nida Abdul-Ghani Nassief, Doha, IRAQ;

Domestic Priority data as claimed by applicant

Foreign Applications

UNITED KINGDOM 9904777.1 03/02/1999

If Required, Foreign Filing License Granted 10/06/2001

Projected Publication Date: 03/28/2002

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

**Title** 

Asthma/allergy therapy that targets T-lymphocytes and/or eosinophils

Preliminary Class

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### MAY 2 2 2008

### Application No. 09/944,564 Examiner Dr Patrick Lewis Art Unit 1623

#### Reply to the Interview Summary dated 22 April 2008

Dear Examiner,

Please find following the reply to the interview summary.

Substance of interview including description of the general nature of what was agreed to if an agreement was reached:

- 1. No Agreement was reached because the claims in the application are not in the proper format for appeal
- 2. The Examiner Doctor Patrick LEWIS directed me to contact the HSLIE for further assistance regarding the claims.

HSLIE has been contacted: Department of Organic Chemistry Art Unit 1623 Shaojia (Anna) A Jiang, tel # 571-272-0627 and she advises on filing a Request for Continued Examination (RCE)

Following please find the RCE application

3. Ms Shaojia raised the point of a delay in issuing the Office Action. The same point has been raised during discussion with Dr Patrick and he believes that this due to administrative fault and he has contacted the administrative office to clarify this point.

#### Points raised in the telephone conversation:

Dr Nedaa Nassief asked the examiner about her patent application claims and the examiner decision about allowing the claims.

Dr Lewis believes that the claims did not appear to be in the proper format for appeal and Dr Lewis also added that the use claim are not patentable in the USPTO.

Dr Nedaa inquires about how an Investigational New Drug Application (INDA) as defined by the FDA is protected in the USPTO.

Dr Patrick replies that there is no direct linking between the FDA and USPTO.

Dr Nedaa inquires about how Viagra® was patented, because it is an existing chemical compound for a new application.

Dr Patrick replied that Viagra is protected as a method of treatment.

Here we arrive to a useful point in the discussion because my patent application already contains a method of treatment that has been claimed before in my application. Accordingly I submit the RCA claiming a method of treatment.

Sincerely,

Dr Nida Nassief